

District Judge Kymberly K. Evanson

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KHADRA XIRSI, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
STATE, *et al.*,

Defendants.

Case No. 2:23-cv-00699-KKE

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND
ORDER

STIPULATION

Plaintiffs and Defendants, by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to stay these proceedings for 30 days. Plaintiff brings this litigation pursuant to the Mandamus Act seeking, *inter alia*, to compel the U.S. State Department to adjudicate Plaintiff Siyad's request for an immigrant visa. Currently, Siyad's immigrant visa request remains refused pursuant to section 221(g) of the Immigration and Nationality Act for administrative processing, which remains ongoing. Defendants' motion for summary judgment is currently due on February 29, 2024. For good cause, the parties request that the Court hold this case in abeyance until April 1, 2024.

1 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706
2 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to
3 control the disposition of the causes on its docket with economy of time and effort for itself, for
4 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.
5 P. 1.

6 With additional time, this case may be resolved without the need of further judicial
7 intervention. The consular section has asked Plaintiff Syad to submit information, including an
8 updated medical examination. Plaintiff Syad reports that, as of today, he has sent all requested
9 documentation to the Embassy. Once the consular section receives the information, the consular
10 officer will review it to determine if further information is needed or if Plaintiff Syad’s visa
11 application may be readjudicated. As this process may resolve the litigation, a stay would
12 conserve both the parties’ and judicial resources. Accordingly, the parties respectfully request
13 that the instant action be stayed until April 1, 2024. The parties will submit a joint status report
14 on or before April 1, 2024. The parties further request that the Order Regarding Initial
15 Disclosures and Joint Status Report be vacated. Dkt. No. 15.

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DATED this 23rd day of February, 2024.

Respectfully submitted,

TESSA M. GORMAN
United States Attorney

BART A CHAVEZ ATTORNEY AT LAW

/s/Michelle R. Lambert

/s/Bart A. Chavez

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I certify that this memorandum contains 326 words, in compliance with the Local Civil Rules.

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Attorneys for Plaintiffs

ORDER

The parties' stipulated motion (Dkt. No. 16) is GRANTED. This case is held in abeyance until April 1, 2024. The parties shall submit a joint status report no later than April 1, 2024. The deadlines set forth in the Order Regarding Initial Disclosures and Joint Status Report (Dkt. No. 15) are vacated.

DATED this 23rd day of February, 2024.



Kymerly K. Evanson
United States District Judge